

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

FREE SPEECH COALITION, INC. et al.,)	
)	Civil Action No. 2:09-4607
Plaintiffs,)	
)	Judge Michael M. Baylson
v.)	
)	MOTION FOR AN EXTENSION
JEFFERSON B. SESSIONS, III,)	OF TIME
Attorney General,)	
)	
Defendant.)	

Defendant hereby respectfully requests an extension of time in which to submit the filing authorized by the Court in its Order of November 2, 2017 [ECF 262]. Good cause exists for the requested extension, as set forth below:

Pursuant to the Court's Order of November 2, 2017, Defendant was given 30 days in which to file written sworn declarations and a brief in connection with the Court's strict scrutiny review. Defendant's deadline therefore is currently December 4, 2017. Over the past two and a half weeks since the Court issued its Order, Defendant has been working diligently to prepare its filing. However, it has taken time to communicate with declarants with no previous involvement in this case, particularly in light of their limited availability in the period around the Thanksgiving holiday. In addition, undersigned counsel for Defendant recently had a hearing scheduled in another case on November 30, 2017, but meanwhile wishes to take a brief period of leave due to the medical situation of a close family member, who is having surgery today, and will be unable to do so unless the December 4 deadline is extended. Moreover, undersigned counsel will be out of the office December 6-8, 2017 for a hearing in a third case requiring out of town travel, and has dispositive motion briefing deadlines in two other cases on December 15, 2017 and December 26,

2017. Defendant therefore seeks to extend its deadline to January 5, 2018.

Undersigned counsel for Defendant has conferred with counsel for Plaintiffs, who indicate they oppose the requested extension. However, the requested extension is reasonable under the circumstances and will not result in prejudice to Plaintiffs.¹

Accordingly, Defendant respectfully requests that the deadline for its filing authorized in the Court's Order of November 2, 2017 be extended up to and including January 5, 2018.

November 22, 2017

Respectfully submitted,

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Principal Deputy Assistant Attorney General
LOUIS D. LAPPEN
Acting United States Attorney
JOHN R. TYLER
Assistant Director, Federal Programs Branch

/s/ Kathryn L. Wyer
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Attorneys for Defendant

¹ Counsel for Plaintiffs indicated as a basis for their opposition that they had agreed to a previous extension in March 2017 where, among other things, undersigned counsel had competing deadlines, including a response to an unanticipated motion for preliminary injunction, and was out of the office due to Passover and related travel. However, Defendant had good cause for seeking that extension and has good cause, for unrelated reasons, to seek the instant extension as well.

CERTIFICATE OF SERVICE

Pursuant to Local Rule 5.1.2(8)(b), I hereby certify that the foregoing Motion has been filed electronically and is available for viewing and downloading from the ECF system. I further certify that the foregoing document was served via ECF on counsel of record for plaintiffs in the above-captioned case.

Dated: November 22, 2017

/s/ _____
Kathryn L. Wyer